

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

DEVON TERRELL ABNEY,

Plaintiff,

v.

CITY OF DETROIT POLICE OFFICER  
ALAA ALI, CITY OF DETROIT SHIFT  
PARTNER JOHN DOE,

Defendants.

Civil Action No. 22-11176

Judith E. Levy  
United States District Judge

David R. Grand  
United States Magistrate Judge

**ORDER STRIKING DOCUMENT (ECF No. 19)**

The Court has reviewed defendant Officer Alaa Ali's motion to dismiss and/or for summary judgment. (ECF No. 19). The Court **STRIKES** that document for the following reason(s):

- ☒ Missing statement of concurrence. *See* Local Rule ("LR") 7.1(a).
- ☐ Missing required information (e.g., table of contents, concise statement of issues, controlling or most appropriate authority, index of authorities, index of exhibits, etc.). *See* LR 7.1(d)(2).
- ☐ Wrong font size or improperly formatted (e.g., single-spaced, improper margins, missing page numbers, etc.). *See* LR 5.1(a)(2),(3).
- ☐ Does not comply with Rule 19(b) of the Electronic Filing Policies and Procedures, regarding filing exhibits electronically. *See* LR 5.1.1(a).
- ☐ Does not comply with Local Rule 5.3, regarding filing an item under seal in a civil case.
- ☐ Over-length. *See* LR 7.1(d)(3).

☐ Motion to dismiss/response to motion to dismiss relies primarily on summary judgment cases.

☐ Other: \_\_\_\_\_.

The document (ECF No. 19) is stricken and not part of the record. The document must be refiled in full compliance with the Local Rules by April 7, 2023. Should defendant Ali choose to refile the motion, he shall specifically address the applicability of the cited Michigan Court Rules and statutes to this case, which is founded on federal question jurisdiction, not diversity of citizenship. *Cf. Blaha v. A.H. Robins and Co.*, 708 F.2d 238, 239-40 (6th Cir. 1983).

**IT IS SO ORDERED.**

Dated: March 24, 2023

s/ David R. Grand  
\_\_\_\_\_  
DAVID R. GRAND  
UNITED STATES MAGISTRATE JUDGE

**NOTICE TO THE PARTIES REGARDING OBJECTIONS**

The parties' attention is drawn to Fed. R. Civ. P. 72(a), which provides a period of fourteen (14) days from the date of receipt of a copy of this order within which to file objections for consideration by the district judge under 28 U.S. C. § 636(b)(1).

**CERTIFICATE OF SERVICE**

The undersigned certifies that the foregoing document was served upon counsel of record and any unrepresented parties via the Court's ECF System to their respective email or First Class U.S. mail addresses disclosed on the Notice of Electronic Filing on March 24, 2023.

s/Eddrey O. Butts  
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EDDREY O. BUTTS  
Case Manager